

304.9-120 Licensure of residents as agents -- Exception to residency requirement.

- (1) Each applicant for license as a resident licensee shall be qualified to designate and shall designate Kentucky as the applicant's home state at the date of application for the license and shall maintain that eligibility throughout the duration of the license.
- (2) Except as provided in subsection (3) of this section, in determining the good faith of an applicant's claim that Kentucky is the applicant's principal place of residence, the commissioner may give due consideration to the following:
 - (a) The amount of time actually spent by the applicant within this state during the claimed residence period;
 - (b) The circumstances of the applicant's residence, that is, whether in a single or multiple family-type dwelling, or leased apartment, or permanent residential type; or in hotel, resort, motel, mobile home, or other temporary or transient type of dwelling or accommodation;
 - (c) The circumstances of the applicant, his or her past history and activities, and the probability that he or she will continue as a resident of this state indefinitely into the future if the license were to be issued; and
 - (d) All other pertinent factors.
- (3)
 - (a) An applicant for a license under KRS 304.9-230(1)(b) shall be qualified to designate Kentucky as the applicant's home state for the purpose of obtaining that license if:
 1. The applicant has a home state that does not issue a license to sell, solicit, and negotiate travel insurance; and
 2. The applicant has otherwise met the requirements for the license in accordance with this subtitle.
 - (b) For purposes of this subsection:
 1. The commissioner shall offer the applicant an opportunity to complete any prelicensing courses of instruction and examination required under KRS 304.9-230(2) online; and
 2. The applicant shall not hold resident licenses for two (2) or more states.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 166, sec. 2, effective June 27, 2019. -- Amended 2010 Ky. Acts ch. 24, sec. 1049, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 393, sec. 9, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 103, sec. 2, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 319, sec. 3, effective July 15, 1982. -- Created 1970 Ky. Acts ch. 301, subtit. 9, sec. 12, effective June 18, 1970.